IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 7971 of 2005

Between:

K. Ramakrishna Reddy S/o. Narasimha Reddy
R/o. H.No. 2-7-719, Excise Colony, Hanumakonda,

Warangal District.

..... PETITIONER

AND

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1 Superintendent of Police, Warangal, Office at Circuit

Guest House, Hanumakonda, Warangal Town.
2 The Inspector of Police, Chandra Sekara Avadani,

Subbedari Police Station, Hanumakonda, Warangal

District.
3 The Deputy Superintendent of Police, Liakat Ali,

Hanumakonda, Warangal District.
4 Adadala Dharma Reddy S/o. Gopal Reddy,
R/o. H.No. 2-7-125, Bhavani Nagar, Hanumakonda,

Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction more particularly one in the nature of "WRIT OF MANDAMS" declaring the action of the respondents No. 2 and 3, in conducting a Civil panchayath between the petitioner and the 4th respondent and also trying to act as recovery agents of respondent No.4, also in not taking action against respondent No.4, in pursuance of my complaint dt.18-3-2005, as illegal, arbitrary, highhanded and also violative of Article 14, 19 and 21 of Constitution of India.

Counsel for the Petitioner: MR.UNNAM.MURALIDHAR RAO

Counsel for Respondents 1 to 3: GP FOR HOME

The Court at the admission stage made the following :

ORDER:

The petitioner is the owner of the Mini Bus No.AP36V7911, by which he is doing business by hiring the same. On 13-3-2005 the petitioner received a phone call from mobile No.9390122322 by an unknown person, who introduced himself as the correspondent of Siddapuram, Wilson High School and asked the petitioner to send

his mini bus to his school for the purpose of taking their school children on excursion. Accordingly, the petitioner sent his mini bus through his driver K. Venkanna. Thereafter, the petitioner received another phone call from the abovementioned cell number demanding to pay five lakh rupees, failing which they will kill the driver and burn the mini bus. Thereafter, the petitioner went to Siddapuram Wilson School and enquired about those persons, wherein he was informed that there were no such persons in their school. Immediately he lodged a complaint before the second respondent on 14-3-2005. The case was register as F.I.R.No.121 of 2005. When the petitioner named the accused person before the police, they called the fourth respondent to the police station, who accepted that he took the petitioner's vehicle to recover his debt. Accordingly the respondents 2 and 3 assured respondent 4 that they would recover the debt and asked him to bring the petitioner's vehicle. Thereafter the fourth respondent brought the bus to the police station. Now the petitioner alleges that after filing of this writ petition only, the fourth respondent released his mini bus but the whereabouts of his driver is not known and that the second respondent is not taking any steps on the complaint submitted by him.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

Since the respondents released the vehicle, the cause of action in this writ petition does not survive and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, the dismissal of this writ petition does not prevent or preclude the petitioner from approaching the appropriate authority for taking appropriate action against the fourth respondent. No costs.

Elipe Dharma Rao, J.

19th April, 2005

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To

1 Superintendent of Police, Warangal, Office at Circuit

Guest House, Hanumakonda, Warangal Town.
2 The Inspector of Police, Chandra Sekara Avadani,

Subbedari Police Station, Hanumakonda, Warangal

District.

3 The Deputy Superintendent of Police, Liakat Ali,

Hanumakonda, Warangal District.

4 Two CCs to G.P. for Home, High Court Buildings, Hyderabad.

5 2 CD copies.